

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

D'Mario Gray,

Civil 10-3072 ADM/FLN

Plaintiff,

v.

O R D E R

Warden Scott P. Fisher,
(Federal Correctional Institution of
Sandstone),

Defendants.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated August 24, 2010, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's application for leave to proceed in forma pauperis, (Docket No. 2), is **DENIED**;

2. This action is **DISMISSED** without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

DATED: September 17, 2010.

S/Ann D. Montgomery

at Minneapolis, Minnesota

JUDGE ANN D. MONTGOMERY
United States District Court